

JUDGE MULLEN ON QUALIFIED JURORS

Jurors Qualified Before the New Constitution Are Eligible Now.

SERVE IN HIS COURT TO-DAY

Osborne, the Modern Bluebeard, Roasts the Newspaper Interviewers—Ex-Mayor Pleasant Qualifies as a Justice of the Peace.

(Special Despatch to The Times.) PETERSBURG, VA., July 17.—Hustings Court, which opened to-day for the term, transacted no business with the exception of a few qualifications. Judge Mullen was asked for his opinion in reference to the contention that there are no legally qualified jurors now in the state under the new Constitution. He said that jurors would be in attendance on his court to-morrow, he being of the opinion that, under saving clauses of the schedule persons qualified to serve as jurors before the adoption of the present Constitution are eligible for that office now; that it was not the purpose of the framers of the present organic law to create a hiatus in this respect until some action could be taken by the Legislature.

"It is true," he said, "that as the present Constitution, unlike the one it superseded, has no provision prescribing the qualifications for jurors, the Legislature has the power to say what they should be. It was the manifest intention of the framers of the present organic law to preserve intact the courts as they were, and all the machinery necessary exist and all the machinery necessary for carrying on the business of the courts as now constituted, until the General Assembly could enact laws to carry into effect the provisions of the instrument they have ordained.

SPECIAL PROVISION "The schedule expressly provides that the common law and the statute laws in force at the time this Constitution goes into effect, so far as not repugnant thereto, or repealed thereby, shall remain in force until they expire by their own limitation, or altered, or repealed by the General Assembly."

"Of course the Constitution therein referred to is the one that was in existence at the time of the enactment of this statute. It follows, therefore, that as persons who were entitled to vote and hold office under the Constitution and laws of this state, shall be liable to serve as jurors."

OSBORNE ROASTS INTERVIEWERS. Charles F. Osborne, who was arrested in Norfolk on the suspicion of having killed his wife for her insurance, passed through Petersburg and Deputy Hueston, of Wayne county, Oklahoma. The prisoner had his hands and feet shackled to prevent any possible escape. The two officers were typical Westerners, armed in cowboy fashion. Osborne, in conversation with a reporter, said newspapers were responsible for most of his trouble. He said he was not a murderer, but that he had never given Osborne said that he was not afraid to return to Oklahoma to answer the charge of murdering his first wife at Stillwater.

STORM IN ISLE OF WIGHT Many Ill With Fever in Smithfield—Pipe Laying the Cause. (Special Despatch to The Times.) FERGUSON'S WHARF, July 17.—A severe thunder storm visited this vicinity Tuesday afternoon. Lightning struck the residence of Mr. Joe H. White, near Mill Swamp, spitting the chimney and doing considerable damage. Fortunately none of the family were fatally injured. Mrs. White and one of the small children were knocked down and severely shocked, but have recovered.

FINED FOR SPITTING. The first fine, under the recent ordinance to prohibit expectorating on the sidewalks, street cars and public halls in this city, was imposed on Walter Hitchcock, a stranger, this morning. By Mayor Jones. Hitchcock was charged with spitting in one of the electric cars despite the protests of the conductors. He was fined two dollars.

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NORFOLK'S MODERN BLUE BEARD LEAVES

No Charge Against Him, Though Believed to Be Guilty.

COURT OFFICERS INDIGNANT

The Governor's Requisition a Mandatory Paper, and Osborne Could Not Be Held—Railroad to Penitentiary Under the New Law.

(Special Despatch to The Times.) NORFOLK, VA., July 17.—C. F. Osborne alias Hatt, the wife murdering expert, was taken from jail here early this morning, thoroughly shackled and taken to the Norfolk and Western train leaving at 7 o'clock. He was guarded by Sheriff J. P. Hesser and Deputy Hueston, of Stillwater, Oklahoma. The charges against him is realty an indictment for killing Al Cooke, a cowboy of the plains.

CHAINED TO THE SEAT. Detective Snowden accompanied the party to the train here, and saw that Osborne was safely put on the train and chained to the seat in order to prevent any possibility of rescue or escape. This was a precaution, because considerable sentiment was suspected to have gathered here because of the intimidation of fellow journal methods and of the anxiety of those interested to have the man tried here. There are two classes, one composed of those who would have benefited directly by the expenditure and fees of the trial, and those who sympathize are prompted by ignorance.

MEANTIME THE REQUISITION, which takes Osborne from here on a charge of two murders, is a vindication of Dr. E. P. Odenhall, the coroner, who stoutly maintained that Osborne was guilty of wife murder here, and of Commonwealth Attorney J. G. Tilton, who was equally strenuous in an attempt to find the man guilty. He is guiltier than they suspected.